

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DANIEL WISEMAN BOGER,

Petitioner,

v.

RICHARD MORGAN,

Respondent.

CASE No. C05-1674MJP

ORDER DISMISSING HABEAS
PETITION WITH PREJUDICE

The Court having reviewed the petition for writ of habeas corpus, respondent's response, the Report and Recommendation of Judge James P. Donohue, Mr. Boger's objection to Magistrate Donohue's Report and Recommendation, and the remaining record, does order:

- (1) The Court adopts the Report and Recommendation
- (2) Petitioner's federal habeas petition (Dkt. No.1), and this action, are DISMISSED with prejudice.
- (3) The Clerk is directed to send copies of this Order to Petitioner, to counsel for respondent, and to Judge Donohue.

Dated this 21st day of April, 2006



Marsha J. Pechman
United States District Judge

